
UNITED STATES DISTRICT COURT
District of Minnesota

Angelica F. Dragon and Gary L. Dragon,

JUDGMENT IN A CIVIL CASE

V.

Case Number: 08-1899 JRT/RLE

Nancy L. Hassinger, Duluth Clinic, Ltd., St.
Mary's/Duluth Clinic Health System, and
United States of America,

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED THAT:

Pursuant to 28 U.S.C. §2679(d)(5) and the Stipulation to Dismiss Without Prejudice [Docket No. 23], which stipulation is incorporated herein by reference, the action against the United States of America is dismissed without prejudice, each party to bear its own attorney's fees, disbursements, and costs. Notwithstanding this Order of Dismissal, any and all of the defenses to this action that the United States of America had or may have are hereby preserved including specifically any defense as to the failure of the Plaintiffs to present an administrative claim to the appropriate federal agency and/or the timeliness of any such administrative claim.

In the absence of any other basis of continuing jurisdiction in this Court, this action shall be remanded to the District Court for St. Louis County, State Minnesota.

September 9, 2008

Date

RICHARD D. SLETTEN, CLERK

s/Rena L. Riemer

(By)

Rena Lexvold Riemer, Deputy Clerk